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18M1/0918

DAVID E. BROOK  
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**NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE**

- ☐ Note attached communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed \_\_\_\_\_

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
08/192,102	02/04/94	007	LUCAS, J	1806 09/18/9
First Named Applicant	LE.	JUNMING		

TITLE OF INVENTION METHODS OF TREATING TNF- $\alpha$ -MEDIATED CROHN'S DISEASE USING CHIMERIC ANTI-TNF ANTIBODIES (AS AMENDED)

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPLN. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1 NYU93-01M	424-133.100	E40	UTILITY	NO	\$1250.00	12/18/9

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.  
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS  
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

**HOW TO RESPOND TO THIS NOTICE:**

**I. Review the SMALL ENTITY Status shown above.**

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or  
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

**II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.**

**III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.**

**IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/192,102	02/04/94	LE	J NYU93-01M

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DAVID E. BROOK  
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LEXINGTON, MA 02173

LUCAS, EXAMINER

ART UNIT 1806 PAPER NUMBER 23/1

DATE MAILED: 09/18/96

#### NOTICE OF ALLOWABILITY

##### PART I

1. ☒ This communication is responsive to Page No. 20 filed 8/26/94
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 91-97 renumbered 1-7
4. ☐ The drawings filed on \_\_\_\_\_ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.
6. ☒ Note the attached Examiner's Amendment.
7. ☒ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☒ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

##### PART II

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
- a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. \_\_\_\_\_. CORRECTION IS REQUIRED.
- b. ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
- c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
- d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

##### Attachments:

- ☒ Examiner's Amendment  
☒ Examiner Interview Summary Record, PTOL-413  
☒ Reasons for Allowance  
☒ Notice of References Cited, PTO-892  
☒ Information Disclosure Citation, PTO-1449

- Notice of Informal Application, PTO-152  
- Notice re Patent Drawings, PTO-948  
- Listing of Bonded Draftsmen  
- Other

LILA FEISEE  
PRIMARY EXAMINER  
GROUP 1800

Art Unit: 1806

### EXAMINER'S AMENDMENT

1. The foreign patents not considered were not considered because they were written in a foreign language. The journal publications not considered were not located in any of the parent cases. These later references will be considered if supplied by the applicant.

2. The reference cited on the PTO-892 is cited for interest purposes only. It is not used as prior art.

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Carolyn Elmore on 10 September 1996.

4. The application has been amended as follows:

a. In the claims:

*3*  
Claim ~~93~~ (once amended) The method of Claim [91] 1 wherein said anti-TNF  
*31* chimeric antibody competitively inhibits binding of TNF to [a] the monoclonal antibody  
[selected from the group consisting of A2 or] cA2.

*2*  
Claim ~~95~~ (twice amended) A method of treating TNF $\alpha$ -mediated Crohn's disease in a  
human comprising administering to the human an effective TNF-inhibiting amount of an anti-

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72 TNF chimeric antibody, wherein said anti-TNF chimeric antibody competitively inhibits binding of TNF to [a] the monoclonal antibody [selected from the group consisting of A2 or] cA2.

The following is an examiner's statement of reasons for allowance:

The claimed method of treating Crohn's disease was neither taught nor suggested in the prior art of record. Applicant's arguments were sufficient to overcome all art and enablement rejections on the record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Lucas whose telephone number is (703) 305-6838. The examiner can normally be reached on M-T from 8:00am to 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marian Knode, can be reached on (703) 308-4311. The fax phone number for this Group is (703) 305-7362 or 305-7939.

Serial Number: 08/192,102

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

John Lucas, PhD

A handwritten signature in black ink, appearing to be 'JL' or 'John Lucas', written in a cursive style.

11 September 1996